

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

THE PONCA TRIBE OF INDIANS)	
OF OKLAHOMA, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case Number CIV-05-445-C
)	
CONTINENTAL CARBON COMPANY,)	
et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

Before the Court is the Defendants' Motion for Temporary Restraining Order and Preliminary Injunction. Therein, Defendants request the Court enter a Temporary Restraining Order pending Plaintiffs' Response and any subsequent hearing. Defendants seek to prohibit Plaintiffs or their counsel from directly or indirectly discussing any aspect of the case with any type of news media. Defendants assert that Plaintiffs have already spoken to one media source and that entity intends to run a news report on the case on November 23, 2005. Defendants argue that news reports of this type will irreparably taint the jury pool.

From a review of Defendants' motion, it is apparent that the immediate protection they seek here is adequately addressed by Judge Page's Orders in the Kay County litigation. Therefore, Defendants' request for a temporary restraining order will be DENIED and this matter will be heard on the request for preliminary injunction on Monday, November 21,

2005 at 1:00 pm in Courtroom 301. To the extent Plaintiffs wish to file a written response they, but are not required to do so, prior to the hearing.

IT IS SO ORDERED this 18th day of November, 2005.



ROBIN J. CAUTHRON
United States District Judge